

mgr Katarzyna Bartkowiak

Certified translator of English

Certified translation from Polish into English, from original document

[The national emblem of the Republic of Poland]
DISTRICT PROSECUTOR'S OFFICE IN POZNAŃ
THIRD DEPARTMENT
OF PREPARATORY PROCEEDINGS SUPERVISION
ul. Solna 10
61-736 POZNAŃ
Tel. +48 618852070 Fax: +48 618852026
e-mail: po@poznan.po.gov.pl m.kwapisz@poznan.po.gov.pl

III Oz 341/13

Poznań, 20 March 2015

**SUPPLEMENTARY INFORMATION TO REQUEST FOR TEMPORARY
DETENTION AND EXTRADITION**

In response to the e-mail of the US Department of Justice of 14 March 2015 regarding the request for the temporary detention and extradition of Aleksander Choczyński, I would like to kindly inform that, as follows explicitly from the statement of the Ministry of Culture and National Heritage of 20 March 2015, Ms Małgorzata Szniak, employee of the Embassy of the Republic of Poland in Moscow, was not authorised to commence negotiations concerning the purchase of the painting "Girl with Pigeon" by Antoine Pesne. It ought to be expressly emphasised that the Ministry of Culture and National Heritage, which represents the Polish authorities in recovering property lost as a result of war plunder, had neither ever considered purchasing the painting from Aleksander Choczyński nor suggested such a solution at any time. However, upon receiving information that Aleksander Choczyński is in possession of the painting "Girl with Pigeon" by Antoine Pesne, the Polish authorities took efforts to perform an inspection of the work so as to verify its authenticity.

In the e-mail of 24 September 2010, Aleksander Choczyński inquired about the plans of the Polish government concerning the purchase of the painting. In response to the e-mail of the suspect, the Ministry of Culture and National Heritage, in its e-mail of 9 October 2010, did not in any way refer to negotiations on or purchase of the painting, and requested that Aleksander Choczyński provide information on the circumstances of purchasing the painting, whose authenticity had been confirmed by a Polish expert, and requested that Mr Choczyński provide documents confirming that he holds ownership rights to the painting. In the successive letter of 28 February 2011, the Ministry of Culture and National Heritage delivered to Aleksander Choczyński a restitution request and expressed

KHOCHINSKY-USA0-000159

the hope that he would decide to return the historical work of art, which should once again constitute part of the collection of the National Museum in Poznań. The Ministry of Culture and National Heritage has yet to receive an answer to both the e-mail of 9 October 2010 and the restitution request of 28 February 2011.

Taking the above into consideration, it ought to be pointed out that the Polish authorities, represented by the Ministry of Culture and National Heritage, had not at any time held any negotiations with Aleksander Choczyński and had not proposed that the Ministry purchase from him the painting "Girl with Pigeon" by Antoine Pesne, which had been the object of property plunder committed in 1943 by the authorities of Germany's Third Reich. It was the objective of the Polish authorities to, firstly, perform an expertise of the painting so as to confirm its authenticity and, secondly, to effect its return to the collection of the National Museum in Poznań.

*[Round stamp with the national
emblem of the Republic
of Poland in the centre
and the following
circumscription: DISTRICT
PROSECUTOR'S OFFICE •
POZNAŃ • *10*]*

[Oblong stamp:]
District Prosecutor
[(-) Illegible signature]
Krzysztof Grześkowiak

Please find enclosed:

- certified copy of the letter of the Director of the Cultural Heritage Department of the Ministry of Culture and National Heritage of 9 October 2010 and its translation into Russian (one copy of each)
- certified copy of the letter of the Director of the Cultural Heritage Department of the Ministry of Culture and National Heritage of 28 February 2011 and its translation into Russian (one copy of each)

MK/ES

I, the undersigned Katarzyna Bartkowiak, a sworn translator of English, recorded on the list of sworn translators kept by Minister of Justice under no. TP/201/14, do hereby certify and attest the above to be an accurate and complete translation of the original of the Polish document presented to me.

Repertory no. 16/2015

Warsaw, 23 March 2015

mgr Katarzyna Bartkowiak

K. Bartkowiak
KHOCHINSKY-USAO-000154



EXHIBIT J

mgr Katarzyna Bartkowiak
Certified translator of English

Certified translation from Polish into English, from the original of certified translation from Russian Repertory No. 490/2015 of 23 March 2015 prepared in Leipzig by mgr Malgorzata Panasiuk, certified translator of English and Russian, recorded on the list of sworn translators kept by Minister of Justice under no. TP/4455/05.

Ministry of Culture and National Heritage

Warsaw, 9 October 2010

Jacek Miler
Director of the Cultural Heritage Department
DDK/2756/10/ER

Mr
Aleksandr Jakowlewicz Choczinskij
"Bogiema" ("Boheme") Antique Shop in Moscow

Dear Sir,

In regard to your correspondence with the Embassy of the Republic of Poland in Moscow, I would like to inform you that the expertise of the painting titled "Girl with Pigeon" by Antoine Pesne carried out by foreign art expert Michał Piotr Michałowski confirmed that the canvass forming part of your collection is identical with the item lost by the Wielkopolskie Museum in Poznań during World War II.

Therefore, I would like to request that you provide information on the circumstances in which you purchased the painting, as well as present documentation confirming your ownership rights.

Yours sincerely,
Jacek Miler
[(-) illegible signature]

[Round stamp with the national emblem of the Republic of Poland in the centre and the following circumscription: District Prosecutor's Office in Poznań]

[Stamp:]

I hereby certify that this document is a complete and correct copy of the original.

10 March 2015

Magdalena Kałużna, Clerk

[Contact details of the Ministry of Culture and National Heritage]

I, the undersigned Katarzyna Bartkowiak, a sworn translator of English, recorded on the list of sworn translators kept by Minister of Justice under no. TP/201/14, do hereby certify and attest the above to be an accurate and complete translation of the original of the Polish document presented to me.

Repertory no. 18/2015

Warsaw, 23 March 2015
mgr Katarzyna Bartkowiak

K. Bartkowiak
KHOCHINSKY-USAO-000155





RE: Khochinskiy proposed bail order (and larger font exhibit)

Reilly, Katherine (USANYS) 1 to: Christopher A Flood

03/31/2015 05:58 PM

History:

This message has been replied to and forwarded.

Chris,

I understand the painting was included in the Interpol stolen art database as of November 9, 2010.

Kate

-----Original Message-----

From: Christopher A Flood [mailto:Christopher_Flood@fd.org]

Sent: Sunday, March 29, 2015 8:08 PM

To: Reilly, Katherine (USANYS) 1

Subject: Re: Khochinskiy proposed bail order (and larger font exhibit)

Thanks

Sent from my iPhone

> On Mar 29, 2015, at 8:04 PM, Reilly, Katherine (USANYS) 1

> <Katherine.Reilly2@usdoj.gov> wrote:

>

> Chris,

>

> I don't have an answer, but I'll look into this and get back to you.

>

> Thanks,

> Kate

>

> ----- Original Message -----

> From: Christopher A Flood [mailto:Christopher_Flood@fd.org]

> Sent: Sunday, March 29, 2015 03:56 PM

> To: Reilly, Katherine (USANYS) 1

> Subject: RE: Fw: Khochinskiy proposed bail order (and larger font exhibit)

>

> Hey Kate,

>

> With your superior investigative resources, could you please provide

> us with additional information regarding Interpol's listing of the

> Pesne painting, specifically including the date that it was given a

> register number and was posted on the Interpol list. From the number

> itself, it appears to be sometime in 2010, But of course, I have no

> experience with Interpol reference numbers, so I'm hypothesizing. I

> would like to have

this

> information verified when I speak with the Polish prosecutor(s).

>

> If it's easier to provide me with a contact at Interpol, that would be

> perfectly acceptable.

>

> Thanks!

>

> cf

EXHIBIT L

EXHIBIT M

Certified translation from Polish

/national emblem of Poland/
Department III
of Supervision over Preliminary Proceedings
ul. Solna 10
61-736 POZNAŃ
Tel. +48 618852022 Fax. +48 618852026
e-mail: oz@poznan.po.gov.pl
a.skrzypczak@poznan.po.gov.pl

Poznań, 5 March 2015

III Oz 341/13

**Additional information on the request for provisional arrest
and extradition**

In response to questions of the American party, I would like to provide the following information:

Question 1

A painting by Antoine Pesne "Girl with a Dove" was on 9 May 1931 purchased by Museum Wielkopolskie in Poznan, from a private person and was cataloged in the museum and entered into the Book of Acquisitions under number 60.

Question 2

After the outbreak of the Second World War and annexation of Poznan by the German occupiers, the collection of Museum Wielkopolskie have been cataloged by the Germans. In 1943, the most valuable part of the collections, including a painting by Antoine Pesne "Girl with a Dove", were exported to the Kahlau, and then deeper into the territory of the Third Reich. The exact location has not been established.

Question 3

Since 1943 the painting "Girl with a Dove" has been considered lost. This date has been registered in the database Stolen Works of Arts under the reference number 2010/50630-1.1.

Question 4

The exact date of the painting seizure by the Russians is not known. It was probably stolen after the seizure of collections by the Soviet army - in Germany, during transport to the Soviet Union or already in the Soviet Union.

Question 5

Alexander Choczyński personally did not provide any verbal information about the painting "Girl with a Dove" during a visit of the employee of the National Museum in Poznan to Moscow. A visit to the antique shop "Bohema", where the painting was, took place on 22 July 2010. Museum expert who evaluated the authenticity of the painting had contact only with the employees of antique shop. The antique shop employee provided the Polish expert with information that the painting had been acquired on foreign auction.

For the first time Aleksander Choczyński presented information about the painting to the Polish Embassy in Moscow in e-mail correspondence dated 18 April 2010. In this e-mail he did not indicate how he came into possession of the painting, indicating only that he has it in his collection and learned from an employee of Artloss organization that this painting is a work of art plundered during

KHOCHINSKY-USA-000115



World War II, sought by Poland. He at the same time proposed to sell the painting to the Polish party, and demanded compensation for the property his family lost in Poland.

In further correspondence Aleksander Choczyński pointed out that the painting "Girl with a Dove" was in his family for many years. The painting was to be imported from Germany by his father, who took part in World War II. The painting was to be in the house occupied by German soldiers, after defeating of which was acknowledged as a trophy of war.

Question 6

Alexander Choczyński is accused of acquisition in so far undetermined place and time, but before 18 May 2010, of a painting by Antoine Pesne "Girl with a Dove" coming from the looting of property made in 1943 by the Third Reich, and then exported to the territory of the USSR, which is a crime under Article 291, paragraph 1 of the Criminal Code in relation to Article 294 paragraph 1 and 2 of the Criminal Code in relation to Article 11, paragraph 2 of the Criminal Code.

It should be emphasized that Aleksander Choczyński has no legal documentation showing that he legally came into possession of Antoine Pesne's painting "Girl with a Dove". He only claims that his father, badly injured in war operations, brought the painting from Germany to Tashkent, located in the former USSR. The aim is to justify the legality of having the painting as the so-called captured property. Version of the suspect is questionable, because in his correspondence he claims that his badly wounded father arrived in Tashkent, and as a result of his injuries he became a disabled person. The above raises questions how the suspect's father was able to transport a work of art, and then store it in the hospital, where he was also to meet the mother of the suspect. Moreover, the version presented by the suspect is not compliant with the report obtained by the expert of the National Museum in Poznan from the employee of antique shop "Bohema" in Moscow. The antique shop employee, who undoubtedly had contacts with the suspect, provided the Polish expert with information that the painting had been acquired on foreign auction. It should be emphasized that the painting "Girl with a Dove", which is the subject of looting carried out by the authorities of the Third Reich, after the war was consistently placed in publications presenting Polish war losses. Moreover, the painting was registered in the "Stolen Works of Art" database kept by Interpol General Secretariat. Thus, Aleksander Choczyński, professionally dealing with art market, has had the knowledge that the picture he has comes from a crime and is sought by the Polish government. It should be emphasized that the behavior of Aleksander Choczyński was focused only on obtaining a financial benefit from the sale of the painting to Polish authorities, because the official restitution request, served personally on the suspect, remained unanswered.

Question 7

For the first time Aleksander Choczyński presented information about the painting of Antoine Pesne "Girl with a Dove" to the Polish Embassy in Moscow in e-mail correspondence dated 18 April 2010. In this e-mail he did not indicate how he came into possession of the painting, indicating only that he has it in his collection and learned from an employee of Artloss organization that this painting is a work of art plundered during World War II, sought by Poland. The abovementioned e-mail Aleksander Choczyński indicated, among other things, what may be important in assessing the credibility of the presented circumstances of the painting displacement, that his father got badly injured and was admitted to a hospital in Tashkent, where he met his mother. In further e-mail correspondence, in a message of 21 October 2010, Aleksander Choczyński pointed out that "The said painting has been in my family for many years. According to my father, who took part in the Second World War (Patriotic), was injured and became disabled, this picture was in the house occupied by German soldiers. After the entry of Soviet troops the Germans were defeated and the city liberated. The Soviet Army considered these works to be spoils of war and exported them to the Soviet Union." Regarding the version that the painting was acquired at an auction, it does not come directly from Aleksander Choczyński. This information was received from the employee of antique



shop "Bohema" by Maciej Michałowski - expert of the National Museum in Poznan, who evaluated the authenticity of the painting. According to the interrogation of the witness Maciej Michałowski, during his visit to the antique shop on 22 July 2010, through the Polish Embassy in Moscow he asked the antique shop employee, who made the painting available to him, how did they acquire the painting. The antique shop employee, whose particulars are not available to the local Prosecution Office, said that the painting was purchased at "the auction in the West". Interrogated in the course of the investigation staff of antique shop "Bohema" - Yelizaveta Tairova, Yevgeny Verenitsov, Dmitry Sorokihave not reported how Aleksander Choczyński took possession of the the painting of Antoine Pesne "Girl with a Dove". Therefore, the local unit has no evidence that could clearly rule out or confirm the presented above versions by Aleksander Choczyński of his acquisition of the painting "Girl with a Dove".

Deputy Circle Prosecutor
Mariusz Orlicki
(-) illegible signature

Round official stamp with the national emblem of the Republic of Poland inside, and the following circumscription: Prokuratura Okręgowa [Circle Prosecution Office] in Poznań *10*

Attachments:

- duly authenticated photocopy of e-mail correspondence addressed by Aleksander Choczyński to the Polish Embassy in Moscow (9 pages)

Rep. No. 116/15

I, the undersigned dr. Marek Kamiński, sworn translator of the English language, recorded on the list of sworn translators of the Minister of Justice under No. TP/2022/05, do hereby certify that the foregoing translation is in conformity with the original documents in Polish.

Warsaw, 9 March 2015

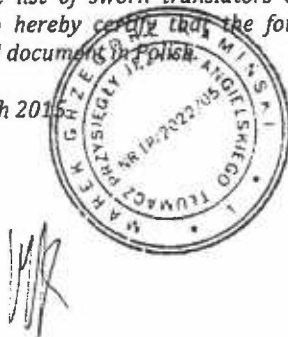


EXHIBIT N



Muzeum Narodowe w Poznaniu

Muzeum | Wydarzenia | Wystawy | Dla Partnerów/Sponsorów | Przyjaciele Muzeum | Edukacja | Konserwacja | Digitalizacja | Cieślęwicz

Jesteś w: Muzeum Narodowe w Poznaniu > Przewodnik > Kontakt > Dyrekcja

Dyrekcja

Dyrektor: Prof. UAM dr hab. Wojciech Suchocki

- tel.: +48 61 85 25 969 e-
- mail: mnp@mnp.art.pl

Zastępca dyrektora ds. naukowych: dr Adam Soćko

- tel.: +48 61 85 25 969
- e-mail: dymauk@mnp.art.pl

Zastępca dyrektora ds. administracyjnych: Aleksander Motała

- tel.: +48 61 85 25 969 e-
- mail: mnp@mnp.art.pl

Zastępca dyrektora ds. ekonomicznych - Główna Księgowa: Dorota Mielcarek

- tel.: +48 61 85 25 969
- e-mail: finanse@mnp.art.pl

Przewodnik

- Godziny otwarcia
- Bilety
- Informacje praktyczne
- Biblioteka
- Kalendarium
- Kontakt

Newsletter

Oddziały

- Muzeum Narodowe w Poznaniu
- Muzeum Sztuk Użytkowych
- Muzeum Historii Miasta Poznania
- Wielkopolskie Muzeum Wojskowe
- Muzeum Instrumentów Muzycznych
- Muzeum Etnograficzne
- Muzeum Pałac w Rogalinie
- Muzeum Zamek w Gólcach
- Muzeum A. Mickiewicza w Śmiełowie

Muzeum | Wydarzenia | Wystawy | Udostępnianie/Wynajem | Edukacja | Konserwacja | Kontakt

Copyright © Muzeum Narodowe w Poznaniu Partner technologiczny: VMR Projekt: Hard & Smart






Muzeum Narodowe w Poznaniu

[Museum](#)
[Exhibitions](#)

[Home](#)
[About](#)
[Contact](#)

You are here: National Museum in Poznań » [Museum](#)

[A](#) [A](#) [Back](#)

[About Museum](#) [Branches](#) [Virtual museum](#)



Historic wing, view from Padarewski St.

Museum

The Poznań museum exists from 1857. It was renamed to National Museum in Poznań in 1950. It is one of the oldest, biggest and most important museums in Poland. Its rich and diverse holdings preserve and present to the public the legacy of centuries and generations, of knowledge, effort and passion of those who have gathered these artworks, among which there are *gems* fit for any prestigious world gallery. Made in different centuries and at different times, they await the visitors, ready to offer them an unforgettable experience.

Prof. AMU dr hab Wojciech Suchocki has filled the position of the National Museum in Poznań director since 2000.

Guide

- [Opening hours](#)
- [Tickets](#)
- [Practical information](#)
- [Contact](#)

Newsletter

Branches

- [National Museum in Poznań](#)
- [Museum of Applied Arts](#)
- [Museum of the History of Poznań](#)
- [Military Museum of Wielkopolska](#)
- [Museum of Musical Instruments](#)
- [Ethnography Museum](#)
- [Rogalin Palace Museum](#)
- [Goluchów Castle Museum](#)
- [Adam Mickiewicz Museum](#)

[Museum](#) | [Exhibitions](#) | [Contact](#)

Copyright © National Museum in Poznań

Picture: seubndogicars, UTM | [Web: Hain & Smart](#)

General Information

The National Museum in Poznan is a state cultural institution operating under the Statute granted Ordinance No. 5 of the Ministry of Culture and National Heritage of 13 February 2014.

The museum was founded in 1898 under an agreement dated November 12, 1898, by and between the Minister of Finance, Provincial Association and the city of Poznan, taken over by the Ministry of Culture and Art in the management and use, Order No. 78 of the Minister of Culture and Art of 9 December 1949 year (Official Journal of the Ministry of Culture and Art, 1950 Number 1 position 1)

Museum works in particular on the basis of:

1. Act of 21 November 1996. on museums (Dz. U. of 2012. pos. 987);
2. Act of 25 October 1991. on organizing and conducting cultural activities (Dz. U. of 2012. pos. 406);
3. Act of 23 July 2003. on the conservation and care of monuments (Dz. U. No. 162, item. 1568, as amended);
4. Statute of the museum.

According to the Statute, the Museum, in particular:

1. collection of monuments in the statutorily specified range;
2. cataloging and scientific development of collections;
3. storage of collected monuments in conditions that ensure the proper conservation and security, and storing them in a way accessible for research purposes;
4. preservation, maintenance and other fixed collections of objects of material culture in accordance with the rules in force in museums and konserwatorstwie;
5. preparation and organization of permanent and temporary exhibitions;
6. initiating and carrying out research and scientific expeditions;
7. educational activities;
8. to promote and conduct artistic and disseminating culture;
9. meetings, conferences and symposia and concerts;
10. sharing collections for educational and scientific purposes;
11. library professional conduct;
12. publishing activities;
13. development, publication and dissemination of the results of their research in the form of catalogs collections, exhibition catalogs, guides and other publications and popular science;
14. cooperation with national and international institutions and organizations with similar objectives;
15. ensuring appropriate conditions for exploring and using the collections and the information collected;
16. file management Foundation. Raczynski and third parties on the basis and scope of civil law agreements concluded with those entities.

EXHIBIT O

File reference number III Kp 671/12 (V Ds. 85/12)

DECISION

Date November 21, 2012

The Regional Court Poznań - Stare Miasto in Poznań in III Criminal Department in the following constitution:

Presiding Judge: Judge of the Regional Court Marta Zaidlewicz
having considered in the case against: **Alexander Khochinskiy**,

suspected of the following:

before May 18, 2010 at an undisclosed location, knowing that a thing had been obtained by means of a prohibited act, he acquired a painting by Antoine Pesne ... „Girl with a Dove” of 1754, cataloged in the Book of Acquisitions of the Greater Poland (Wielkopolskie) Museum in Poznań under the inventory number 60/1931, and subsequently number 233 of the Kaiser Friedrich - Museum Posen, lost in 1943 as a result of looting of property by the then authorities of the III German Reich, found by the Red Army in 1945 and along with another collection of the museum moved to the repositories of the former Union of Soviet Socialist Republics, registered on sheet number 5983 of the database of goods of culture lost as a result of World War II of the Ministry of Culture and National Heritage and placed on the Interpol list in the Stolen Works of Art database under the reference 2010/50630-1.1, constituting good of particular importance to culture, and at the same time property of considerable value exceeding PLN 200 000 to the detriment of the Wielkopolskie Museum, currently the National Museum in Poznań;

that is an offense under article 291 paragraph 1 of the Criminal Code in connection with article 294 paragraph 1 and 2 of the Criminal Code in connection with article 11 paragraph 2 of the Criminal Code.

of prosecutor's request in the matter of application of provisional arrest, by virtue of article 249 paragraph 1 of the Code of Criminal Procedure and article 258 paragraph 1 point 1 of the Code of Criminal Procedure

decides:

to apply with respect to Alexander Khochinskiy, son of Yakov, born on February 18, 1951 in Leningrad, recently domiciled in Moscow, Lichebnaya 5 apartment 31, issued with identity card of citizen of the Russian Federation of series 4509 number 683880, a preventive measure in the form of provisional arrest for a period of 14 (fourteen) days from the date of apprehension.

Oblong stamp:

For conformity

2013-01-25

/-/ illegible signature

Magdalena Badya

Official round seal with the state emblem of the Republic of Poland in the center and the following inscription on the rim: “DISTRICT PROSECUTOR'S OFFICE IN POZNAN”

KHOCHINSKY-USAO-000006

File reference number III Kp 671/12
(V Ds. 85/12)

Statement of Reasons

The evidence gathered in the case and in the first place testimonies of witness Maciej Michałowski, who confirmed authenticity of the painting „Girl with a Dove” and Yelizaveta Tairova, employee of the Bohema gallery, as well as evidence collected in the case in the form of documents, obtained within the framework of foreign legal assistance, indicate high likelihood that the suspect did perpetrate the alleged offense.

In the opinion of the Court, in view of such collected evidence, securing of proper course of criminal proceedings is possible only by means of application of an isolating preventive measure in the form of provisional arrest.

For as follows from the files of the case, there is high likelihood that the suspect unlawfully acquired the painting „Girl with a Dove”, and currently is willfully concealing the painting without intending to return it to the rightful owner. The suspect knew about the loss of the painting by the Polish state, which he expressed in his email correspondence with the Polish Embassy in Moscow, yet still purchased it unlawfully (his claims that he purchased it at a foreign auction are unlikely, for the painting is listed as lost in looting during World War II). From the testimonies of witness Yelizaveta Tairova it follows that the painting was present at the Bohema antique shop, owned by the suspect, for a very brief period, and was then taken away (immediately after its authenticity was confirmed by Maciej Michałowski). From the materials gathered in the case it follows that Alexander Khochinskiy is currently staying in the United States of America; it is also highly likely that he is traveling European countries in connection with his art-collecting and art-dealing activity.

In the assessment of this Court, apprehension of the suspect and his participation in procedural actions can be ensured only by an isolating preventive measure. This is supported in the first place by persistent absconding of the suspect from Polish and foreign law enforcement authorities.

In view of the above, the Court decided as in the ruling.

JRC Marta Zaidlewicz

Official round seal with the state emblem of the Republic of Poland in the center and the following inscription on the rim: “DISTRICT PROSECUTOR’S OFFICE IN POZNAN”.

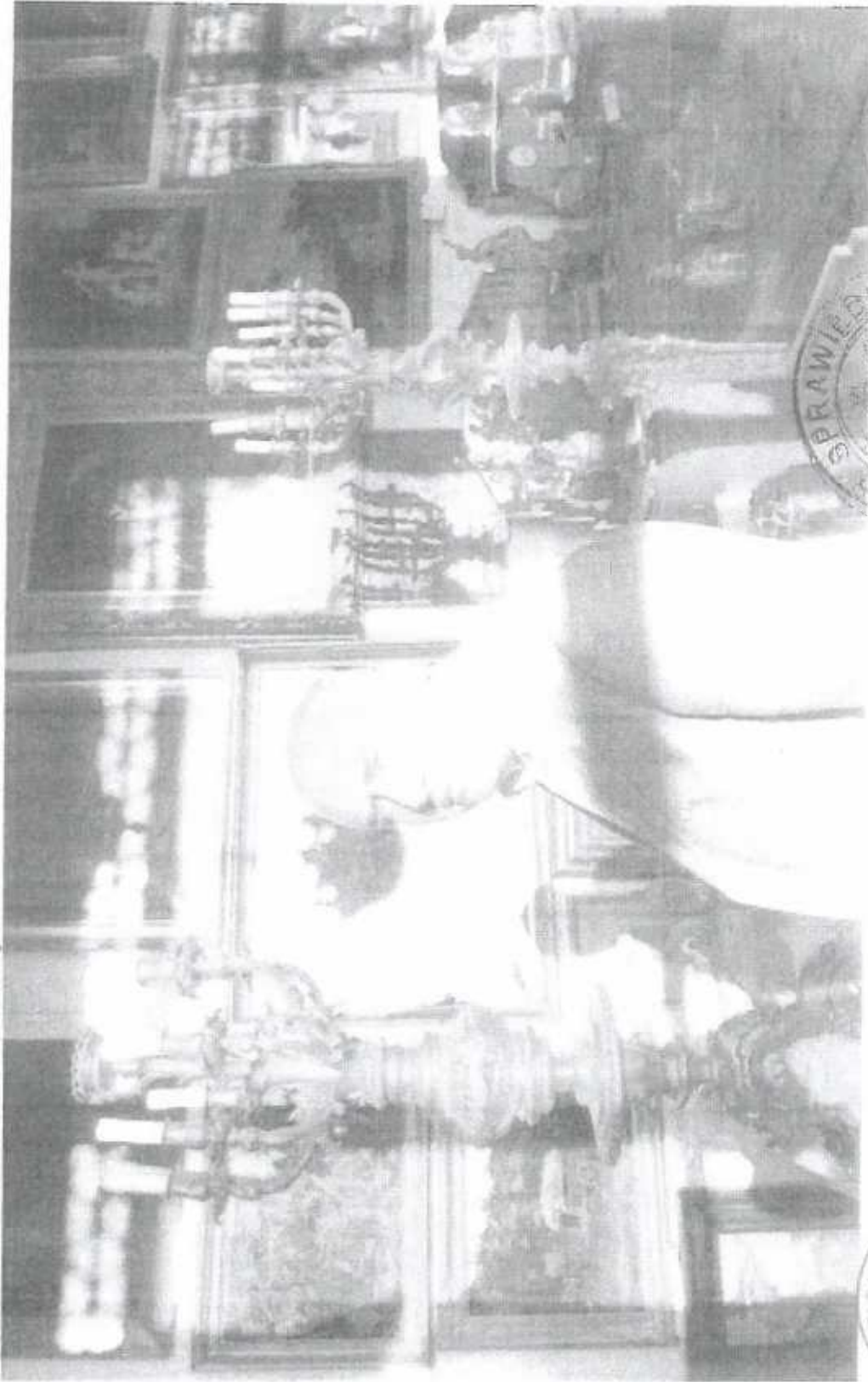
Official round seal with the state emblem of the Republic of Poland in the center and the following inscription on the rim: “REGIONAL COURT POZNAN – STARE MIASTO IN POZNAN”.

Official round seal with the state emblem of the Republic of Poland in the center and the following inscription on the rim: “MINISTER OF JUSTICE”.

KHOCHINSKY-USAO-000007

EXHIBIT P

PROKURATURA OKRĘGOWA
w Poznaniu 167
Wydział V Śledczy
61-736 Poznań ul. Ściana 10



Za zgodność
26.04.2015
01.10.2015
[Signature]



Za zgodność
01.10.2015
[Signature]



EXHIBIT Q
